

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CURTIS L. NORTHINGTON, JR.,)	
)	
Plaintiff,)	
)	
v.)	No. 4:10CV617 HEA
)	
ST. LOUIS COUNTY GOVERNMENT,)	
)	
Defendant.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on its own motion. Rule 12(h)(3) of the Federal Rules of Civil Procedure states: “If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.”

Plaintiff brings this action for breach of contract against the St. Louis County Government. Plaintiff alleges that he entered into a contract with defendant for three dollars fifteen years ago. Plaintiff says that the face value of the contract today is \$25,000. Plaintiff seeks money damages in the amount of \$25,000.

The Court lacks jurisdiction over this matter because diversity jurisdiction does not exist and the case involves no federal question. As a result, the Court will dismiss this matter pursuant to Rule 12(h)(3).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. #3] is **GRANTED**.

IT IS FURTHER ORDERED that this case is **DISMISSED** for lack of jurisdiction.

An appropriate Order of Dismissal shall accompany this Memorandum and Order.

Dated this 3rd day of May, 2010.

A handwritten signature in cursive script, reading "Henry Edward Autrey", is positioned above a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE